

BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

REGULAR MEETING - September 9, 1999
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT: **Chairman:** Craig H. Zetley (*voting on items 1-72, 74-79*)
 Members: Henry P. Szymanski (*voting on items 1-33, 35-79*)
 Scott R. Winkler (*voting on items 2-79*)

Alt. Board Members: Donald Jackson (*voting on items 1-79*)
 Georgia M. Cameron (*voting on items 1-79*)

ABSENT: Catherine M. Doyle
 Roy B. Nabors

Start time: 2:05 p.m.

End Time: 4:48 p.m.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
1	22259 Special Use Adjourned	Anup K. Khullar, Property Owner Request to construct a new motor vehicle pumping station and to occupy the premises as such.	2931 W. Lincoln Ave. (8th) Ayes: 4 Nays: 0 Abstain: 1 0

Georgia M. Cameron moved to adjourn the appeal to the September 30, 1999 hearing to allow for five voting members to be present. Seconded by Henry P. Szymanski.

2	22431 Ext. of Time Granted 6 mo.	GSS Corporation, Property Owner d/b/a/ GSS Corporation By: Saul Rosen Request to request an extension of time to comply with the conditions listed in the case #22026.	5575 S. 27th St. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the extension of time. Seconded by Henry P. Szymanski.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
3	22454 Change of Operator Granted	Kalim M. Beg, Lessee d/b/a Kal Service Request for a Change of Operator to continue occupying the premises as a motor vehicle pumping station and convenience store open 24 hours per day.	1930 W. Howard Ave. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the request for a Change of Operator. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

4	22382 Variance Dismissed	Hugh and Shannon Mitchell, Property Owners By: James Sivilotti Request to erect a two car detached garage less than 4 ft. from the alley lot line.	6009 W. Spencer Pl. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to dismiss the appeal. Seconded by Henry P. Szymanski.

5	22435 Change of Operator Granted	VR1 Petromart, Inc., Lessee By: Waqar Hussain Request a change of operator to continue occupying the premises as a motor vehicle pumping station.	7002 W. Center St. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the Change of Operator. Seconded by Henry P. Szymanski.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
6	22430 Ext. of Time Granted 1 yr.	Jonathan Moberg, Property Owner Request an extension of time for meeting the conditions of the case.	2418-20A N. Bremen St. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Board member Scott R. Winkler moved to grant the extension of time. Seconded by Henry P. Szymanski.			
7	21998 Variance Adjourned	Bay View United Methodist Church, Property Owner By: Jean Larsen / Mark Humphrey Request to occupy and construct a parking lot on the premises.	2788-2792 S. Kinnickinnic Ave. (14th) Ayes: Nays: Abstain:

This item was adjourned at the request of the Chairman and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
8	22410 Special Use Granted 10 yrs.	SIKH Temple of Wis. Inc., Prospective Buyer By: Satwant Singh Request to occupy the premises as a church.	441 E. Lincoln Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 C.Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That on-site parking stalls are delineated with permanent pavement markings in a manner consistent with the site plan submitted.
5. That the front windows are to remain as clear glass and are to be maintained in an attractive manner.
6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

9	22412 Use Variance Granted 10 yrs.	Frances Luedtke, Lessee d/b/a East Side Ovens, Inc. Request to occupy the premises as a wholesale bakery.	2899 S. Kinnickinnic Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
10	22326 Variance/Special Use Adjourned	Marilyn K. Betthausen, Property Owner Request to continue occupying the premises as a second hand sales store and add a pawn shop operation.	2916-18 S. 13th St. (14th) Ayes: Nays: Abstain:

This item was adjourned at the request of Department of City Development and will be rescheduled for the next available hearing date.

11	22424 Variance Adjourned	Dennis Schumacher and Patricia McKean, Property Owner Request to construct a single family dwelling unit on the premises on a lot to be created by C.S.M.	2650 S. Shore Dr. (14th) Ayes: Nays: Abstain:
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This item was adjourned at the request of the Alderman and will be rescheduled for the next available hearing date.

14	22419 Special Use Adjourned	Alejandrina Lyon, Property Owner d/b/a Lyon Realty Co. Request to occupy the storefront area of the premises as a real estate office.	3479 S. 15th Place (14th) Ayes: Nays: Abstain:
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This item was adjourned at the request of the Alderman and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
15	22385 Use Variance Granted 10 yrs.	M&I Bank, Lessee By: Mike Haessly Request to occupy the subject premises with a 24hr. ATM.	8805 N. 107th St. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted for a period of ten (10)) years, commencing with the date hereof.

14	22428 Variance Granted	David Windsor, Property Owner Request to construct a garage on the premises.	6125 N. 118th St. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
15	22405 Variance Granted	The West Granville Presbyterian Church, Property Owner By: Douglas Stewart Request to erect a sign on the premises.	6935 N. 107th St. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

16	22408 Variance Granted	Debora K. Jannusch, Property Owner Request to construct a front porch on the premises.	433 S. 67th St. (16th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
17	22363 Variance Adjourned	Marvin Ortiz, Lessee Request to continue occupying the premises as a grocery store.	1201 S. 33rd St. (16th) Ayes: Nays: Abstain:

This item was adjourned at the request of the Chairman and will be rescheduled for the next available hearing date.

18	22407 Special Use Adjourned	Mary Elam, Property Owner Request to occupy the 1st & 2nd floors of the premises for a day care center for 50 children, ages 6 wks. to 12 yrs., from 6AM to 6PM.	4716-18 W. Vliet St. (16th) Ayes: Nays: Abstain:
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This item was adjourned at the request of the Department of Public Works and will be rescheduled for the next available hearing date.

19	22434 Variance	The Archdiocese of Milwaukee, Property Owner By: By Deb Burton Request to erect a 6' x 9' double face ground sign and a 6' x 3' single face ground sign.	151 S. 84th St. (16th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
20	22439 Variance Adjourned	The St. Sebastian School, Property Owner By: Maureen O'Boyle Request to erect a 4' x 8' sign on the premises.	1740 N. 55th St. (16th) Ayes: Nays: Abstain:
This item was adjourned at the request of the Department of City Development and will be rescheduled for the next available hearing date.			
31	22362 Special Use Adjourned	James and Theresa Morton, Prospective Buyers Request to occupy a portion of the existing building as a day care center for 100 children, ages infant to 13 yrs, open 24 hrs and 7 days a week.	3130 W. Lisbon Ave. (17th) Ayes: Nays: Abstain:
This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.			
32	22315 Special Use Adjourn	The Milwaukee Rescue Mission, Property Owner By: Reverend Patrick Vanderburgh Request to continue to occupy the premises as a social service facility and rooming house.	1820 W. Wells St. a/k/a 830 N. 19th St. (17th) Ayes: Nays: Abstain:
This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.			

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
33	22429 Special Use Granted 10 yrs.	Mt. Vernon Baptist Church, Property Owner By: Rev. Willie Jackson Request to occupy the premises as a day care center for 50 children, ages 3 to 12 yrs., from 6AM. to 6PM.	2345 N. 18th St. (17th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That if any permit or license from the State of Wisconsin is revoked by the State of Wisconsin, the Special Use herein granted shall immediately become null and void.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
24	22372 Special Use Granted 10 yrs.	The Milwaukee Public Schools, Property Owner By: Michelle Lenski Request to occupy a portion of the premises as a day care center for 48 children, ages 4wks. to 3yrs., from 7:30AM to 3:30PM.	5075 N. Sherman Blvd. (1st) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That signage be limited to a maximum of 17.5 sq. ft.
5. That if any permit or license from the State of Wisconsin is revoked by the State of Wisconsin, the Special Use herein granted shall immediately become null and void.
6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
25	22166 Special Use Granted 10 yrs.	Jinnah Corporation, Prospective Buyer By: Syed Wasi Rizani Request to occupy the premises as a gas station and convenience store.	4057 N. Green Bay Ave. (1st) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.			
Conditions as recorded below and in the decision of the Board:			
1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.			
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.			
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.			
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.			
26	22303 Special Use/Variance Adjourned	Miki Gilerovich, Property Owner d/b/a Miki's Auto Request to continue to occupy the premises as a motor vehicle repair facility and a junkyard with indoor storage space.	4440 N. Green Bay Ave. (1st) Ayes: Nays: Abstain:

This item was adjourned at the request of the Department of Neighborhood Services and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
27	22386 Variance Granted	Lyle Liska, Property Owner Request to construct an accessory garage on the premises.	2956 N. 70th St. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

28	22357 Special Use Granted 5 yrs.	Rev. David Hein, Property Owner Request to occupy a portion of the church basement as a day care center.	6020 W. Hampton Ave. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That if any permit or license from the State of Wisconsin is revoked by the State of Wisconsin, the Special Use herein granted shall immediately become null and void.
5. That signage be limited to a maximum of 17.5 sq. ft.
6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
29	22383 Variance Granted 10 5 yrs.	Carol J. Alvarez, Lessee d/b/a WholeBody Balance and Center Request to occupy the premises as a massage therapy studio.	1647 N. Franklin Pl. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

30	22436 Dimensional Variance Adjourned	Kathleen Williams, Property Owner Request to construct a 18' x 20' detached garage in the north side setback.	1651 N. Franklin Pl. (3rd) Ayes: Nays: Abstain:
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This item was adjourned at the request of the Department of City Development and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
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31	22331 Special Use Granted 10 yrs.	Helen Scaife, Property Owner d/b/a Scaife Day Care LLC By: Carmel Scaife Request to occupy the premises as a day care center for 100 children, ages 4-12 yrs, from 6AM to 12 midnight.	531 E. Burleigh St. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That if any permit or license from the State of Wisconsin is revoked by the State of Wisconsin, the Special Use herein granted shall immediately become null and void.
5. That a sixty (60) foot loading zone is installed on E. Burleigh.
6. That all van loading and unloading occurs in the loading zone.
7. That day care vans are parked off-street when not in use.
8. That the N. Booth St. driveway is removed, with curb, gutter, and sidewalk restored as required by City Ordinance.
9. That signage be limited to a maximum of 40 sq. ft.
10. That the front windows are maintained in a neat and attractive manner.
11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

32	22266 Special Use Adjourned	Bayoff Enterprises, Inc., Property Owner d/b/a Little Caesars Pizza By: Thomas S. Bayoff Request to occupy the premises as a Type "B" restaurant.	2831 N. Oakland Ave. (3rd) Ayes: Nays: Abstain:
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This item was adjourned at the request of the Alderman and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
33	22437 Variance Granted 5 yrs.	Victoria Leigh, Property Owner Request to occupy the premises as a personal service facility.	3347 N. Bartlett Ave. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.

34	22413 Variance Granted	The Milwaukee Protestant Home, Property Owner By: Matt Furno Request to construct an addition to the existing facility.	2449 N. Downer Ave. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Georgia M. Cameron moved to grant the appeal. Seconded by Donald Jackson.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
35	22432 Variance Adjourned	Gene W. Berube, Property Owner Request to construct a parking space on the premises.	1541 N. Marshall St. (3rd) Ayes: Nays: Abstain:

This item was adjourned at the request of the Department of City Development and will be rescheduled for the next available hearing date.

36	22291 Special Use Granted 10 yrs.	Burgess Car and Truck, Property Owner By: David Burgess Request to occupy the premises as an automobile sales facility.	2440 W. Clybourn St. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That no vehicles for sale are to be displayed in the public right-of-way.
5. That no repair of vehicles is to occur in the public right-of-way.
6. That all vehicles for sale are to be displayed inside of the building.
7. That no additional signs are added to the premises.
8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
37	22364 Special Use Granted 10 yrs.	The Genesis Detoxification Center, Lessee By: Walter Laux Request to continue occupying the premises as a social service facility and a rooming house with a potential capacity of 42 clients.	1218 W. Highland Ave. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all conditions of Decision No. 20933 are complied with in every respect except as otherwise amended herein.
5. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.

38	22399 Special Use Granted 10 yrs.	Springfield College, Lessee By: Karen Ecke Request to occupy the premises as a college.	161 W. Wisconsin Ave. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
39	22338 Variance Granted 10 yrs.	Benchmark Healthcare Inc., Lessee By: Shelly McDonald Request to occupy the premises as a social services facility.	1400 N. 6th St. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

40	22377 Special Use Granted 10 yrs.	Deborah N. Moore, Lessee d/b/a McDonald's Request to continue occupying the premises as a Type "B" restaurant.	420 E. Capitol Dr. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all conditions of Decision No. 19039 are complied with in every respect except as otherwise amended herein.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
41	22401 Variance Granted 10 yrs.	Abdel Razzaq Tubaishat, Lessee Request to occupy the premises as a grocery store.	2801 N. 20th St. (7th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

42	22423 Special Use Adjourned	Muhammad Ali, Lessee d/b/a Japan Autos Request to operate used car sale and repair.	5502 W. Center St. (7th) Ayes: Nays: Abstain:
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This item was adjourned at the request of the Alderman and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
43	22361 Special Use Granted 10 yrs.	Greg Fox and Tom Martino, Prospective Buyers Request to construct an addition to the existing truck freight terminal and expand the parking area.	2040 W. Oklahoma Ave. (8th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That a landscape buffer is installed between the parking lot and sidewalk to the west of the existing W. Oklahoma Ave. driveway.
5. That landscaping and screening plans must be upgraded to meet the intent of s.295-75; including a 6 foot high opaque fence along South 20th Street.
6. That site illumination must be controlled to prevent glare onto adjacent streets and businesses.
7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

44	22317 Special Use Adjourned	Clark Refining, Property Owner By: Paul S. Schmitter Request to occupy the premises as a pumping station with a storage shed and free standing ATM on site.	8015 N. 76th St. (9th) Ayes: Nays: Abstain:
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This item was adjourned at the request of the Department of Public Works and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
45	22440 Variance Granted	Clarence E. Johnson, Property Owner Request to construct a garage on the premises.	5260 N. 37th St. (9th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted to run with the land.

46	22441 Special Use Adjourned	The McDonald's Corporation, Property Owner d/b/a McDonald's Restaurant By: Mark Goetzinger Request to continue occupying the premises as a Type "B" restaurant with the addition of a play area.	7170 N. Teutonia Ave. (9th) Ayes: Nays: Abstain:
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This item was adjourned at the request of the Department of City Development and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
47	22339 Special Use Granted 10 yrs.	Ella Flippin, Property Owner Request to occupy the premises as a day care center for 30 children, ages 0-12 years, from 6 a.m. to 12 a.m.	1033 W. Keefe Ave. (10th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That if any permit or license from the State of Wisconsin is revoked by the State of Wisconsin, the Special Use herein granted shall immediately become null and void.
5. That signage be limited to a maximum of 17.5 sq. ft.
6. That no parking or stopping of any vehicles associated with this use, including parent and employee vehicles, occurs on the south side of W. Keefe Ave. during the morning peak period when parking is prohibited.
7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
48	22384 Special Use Granted 10 yrs.	Eula M. Jones and Kathleen Boyd, Lessee Request to occupy the premises as a day care center for 32 children, ages 2wks. to 12yrs., from 6:30AM to 5:30PM.	3124-26 N. 27th St. (10th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the rear parking area is paved according to City code prior to the use as parking for any vehicles associated with this use, and that the area is to be used for employee or day care center vehicles only.
5. That if any permit or license from the State of Wisconsin is revoked by the State of Wisconsin, the Special Use herein granted shall immediately become null and void.
6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
49	22422 Variance Granted 10 yrs.	St. Clare Terrace, Inc., Prospective buyer BY: Philip Schultz Request to occupy the premises as an elderly home.	3553 S. 41st St. (11th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That these Variances are granted for a period of ten (10) years, commencing with the date hereof.

50	22426 Special Use Granted 10 yrs.	Jullian Jay and Mildred Moss, Property Owners d/b/a Suburban Car Wash and Oil Change Request to continue occupying the premises as a car wash and oil change facility.	160 W. Layton Ave. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all conditions of Decision No. 20476 are complied with in every respect except as otherwise amended herein.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
51	22374 Variance Granted 5 yrs.	Matthew Rochte, Prospective Buyer Request to convert the existing single family dwelling unit into a two family dwelling unit.	2966 S. California St. (14th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Donald Jackson.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.

52	22264 Special Use Adjourned	Anverkhan Malik, Prospective Buyer Request to occupy the premises as a motor vehicle pumping station.	2011-23 S. Kinnickinnic Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to adjourn the appeal to allow the petitioner to submit additional information. Seconded by Henry P. Szymanski.

53	22207 Use Variance & Special Use Adjourned	JR's Towing & Auto Service Inc., Lessee By: John LaPlante Request to occupy the premises as an auto repair facility with wholesale auto sales & exterior storage of autos for salvage.	8617 W. Kaul Ave. (15th) Ayes: 4 Nays: 0 Abstain: 1 Z. Zetley
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Henry P. Szymanski moved to adjourn the appeal at the request of the applicant's attorney. Seconded by Donald Jackson.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
54	22376 Special Use Granted 10 yrs.	Don Goben, Lessee Motor America Corporation d/b/a Goben Mitsubishi Request to occupy the premises as a new and used motor vehicle sales dealership.	9101-301 W. Brown Deer Rd.; 8757 N. 91st St. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That a revised landscaping and screening plan is submitted to and approved by the Department of City Development within sixty (60) days of the date hereof. An approved copy must be submitted to the Board within the same time period.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
55	22403 Special Use Granted 5 yrs.	Children's World, Lessee By: Dennis Boschi Request to occupy the north space of strip mall as a child day care for 110 children, ages infant to 12 years, from 6AM to 6PM.	10130 W. Appleton Ave. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

56	22276 Variance Denied	Talwinder S. Gill, Property Owner Request to occupy the premises as a grocery store.	4730 W. Lloyd St. (17th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Henry P. Szymanski moved to deny the request. Seconded by Donald Jackson.

57	22373 Special Use Adjourned	Schnell Price, Prospective Buyer d/b/a Jo's Play Pen-- Learning & Development Center Request to occupy the premises as a day care center for 98 children, ages infant to 12 yrs., open 24 hrs.	4801 W. North Ave. (17th) Ayes: Nays: Abstain:
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This item was adjourned at the request of the Chair and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
58	22111 Special Use Granted	Eric Broxton, Lessee d/b/a Broxton Tire Service Request to occupy premises as a new and used tire retail outlet and installation facility.	4002 W. Lisbon Ave. (17th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Georgia M. Cameron.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all areas used for parking are paved per city code.
5. That landscaping and screening plans meeting the intent of s.295-75 are submitted to and approved by Plan Examination within thirty (30) days of the date hereof. A copy of the approved plan must be submitted to the Board within the same time period.
6. That the drive nearest 40th St. must be removed and restored with curb, gutter and sidewalk.
7. That parking stalls must be delineated with permanent pavement markings.
8. That all tire storage must occur indoors.
9. That all repair work must be conducted indoors.
10. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
59	22341 Special Use Granted 10 yrs.	Eric Broxton, Lessee Request to occupy the premises as a motor vehicle repair center for the sale and service of tires.	4087 N. Green Bay Rd. (1st) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Donald Jackson moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That landscaping and screening plans meeting the intent of s.295-75 are submitted to and approved by Plan Examination within thirty (30) days of the date hereof. A copy of the approved plan must be submitted to the Board within the same time period.
5. That no disabled or unlicensed vehicles, tires or other auto parts are to be stored outside.
6. That all work is to be conducted inside of the building.
7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

60	22177 Dimensional Variance Dismissed	Dennis J. Lutynski, Property Owner d/b/a JAEL Properties, LLC By: Howard B. Tolkan, Agent Request to permit the occupancy of the premises as three dwelling units.	3007-09 N. Maryland Ave. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Henry P. Szymanski moved to dismiss the appeal with prejudice. Seconded by Scott R. Winkler.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
61	22301 Variance Dismissed	Tim Brophy, Property Owner Request to occupy the third floor of the dwelling unit (this is not for the creation of an additional dwelling unit).	3039-41 N. Cramer St. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Henry P. Szymanski moved to dismiss the appeal with prejudice. Seconded by Donald Jackson.			
62	22139 Dimensional Variance Adjourned	Daniel Pauli, Property Owner Request to occupy parcel as a three family dwelling.	2933-2935 N. Maryland Ave. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Board member Scott R. Winkler moved to adjourn the appeal at the request of the applicant. Seconded by Henry P. Szymanski.			
63	22400 Variance Granted	James A Metz, Prospective Buyer Request to construct a 6-unit townhouse on the premises.	1603-1623 E. Park Pl. a/k/a 2644 N. Newhall St. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That the appellant submits documentation of the acquisition of the excess right-of-way within six (6) months of the Board's decision.
5. That these Variances are granted to run with the land.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
64	22344 Special Use and Variance Granted	The Lynde and Harry Bradley Foundation, Inc., Property Owner By: Daniel P. Schmidt Request to construct a 3 story link addition between 1241 and 1249 N. Franklin Pl., remodel 1249 N. Franklin Pl., and erect a 6 ft. high fence on the premises.	1249 N. Franklin Pl. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Donald Jackson moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That conditions of the Historic Preservation Commission are complied with.
5. That the Special Use and Variance is granted for a period of time commencing with the date hereof and expiring June 12, 2015.

65	22387 Variance Granted	Mary Hegarty, Property Owner Request to construct one dwelling unit in the existing building.	1126 W. Wells St. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Donald Jackson moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner remodel in accordance with plans as submitted to the Board.
4. That the property is maintained in a neat and attractive manner.
5. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
66	22097 Special Use Granted 1 yr.	Milwaukee County Department of Public Works, Property Owner By: Gary Mick Request to occupy the premises as a parking lot.	601-623 W. State St. a/k/a 929 N. 6th St. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal for a temporary period of one year. Seconded by Donald Jackson.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a temporary period of one (1) year.

67	22415 Variance Granted 10 yrs.	Urban Day School, Property Owner By: Paul Christman Request to expand the existing parking lot on the premises.	1441 N. 24th St. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That the landscape plan be submitted to the City Forester for approval for any landscaping to be planted in the public right-of-way.
5. That these Variances are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
68	22332 Variance Granted 10 yrs.	New Jerusalem Temple, Inc., Land Contract By: Darlene Evans Request to occupy the premises as a church deficient of parking spaces.	925 W. Burleigh St. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
69	22325 Special use Granted 10 yrs.	Tracy Glass, Lessee d/b/a Unconditional Love Day Care Center Request to occupy the premises as a day care center for 20 children, ages 2-12 years, from 6AM to 12 midnight.	2579 N. Martin L. King Dr. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.			
Conditions as recorded below and in the decision of the Board:			
1.		That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.	
2.		That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.	
3.		That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.	
4.		That no parking signing is to be installed by the daycare center in the street right-of-way.	
5.		That a loading zone is to be applied for and maintained on N. Martin L. King Dr. adjacent to the day care center.	
6.		That a special privilege is obtained from the Common Council for the proposed awning and the door swing.	
7.		That signage is approved by the Redevelopment Authority of the City of Milwaukee.	
8.		That the outdoor play space is not utilized after 7:00 p.m.	
9.		That the storefront windows are maintained in a neat and attractive manner.	
10.		That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
70	22318 Special Use Adjourned	Donald Cox, Lessee Request to occupy the premises as a motor vehicle repair center.	2448-50 N. Martin L. King Dr. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Craig H. Zetley moved to adjourn the appeal to allow the petitioner to appear in person. Seconded by Henry P. Szymanski.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
71	22296 Special Use Granted 10 yrs.	The Bible Way Evangelistic C.O.G.I.C., Prospective Buyer By: Lance Austin Request to occupy the premise as a church.	2400 W. Center St. (7th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Georgia M. Cameron moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That landscaping and screening plans meeting the intent of s.295-75 are submitted to and approved by Plan Examination within thirty (30) days of the date hereof. A copy of the approved plan must be submitted to the Board within the same time period.
5. That signage be limited to a maximum of 17.5 sq. ft.
6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
72	22299 Special Use Granted 2 yrs.	The American Oil Company, Property Owner d/b/a Amoco By: Jill Richard Request to continue to occupy the premises as a 24 hour motor vehicle pumping station.	3114 N. Sherman Blvd. (7th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Georgia M. Cameron.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
73	22404 Special Use/Variance Granted 10 yrs.	Greater New Birth Church, Property Owner By: Rev. James Wall Request to construct a church and occupy the premises as such without the required parking.	2207 W. Center St. (7th) Ayes: 4 Nays: 0 Abstain: 0

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Georgia M. Cameron.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That landscaping and screening plans for the on-site parking area must be submitted which meet the intent of s.295-75.
5. That site illumination must be controlled to prevent glare onto adjacent streets and residences.
6. That signage is to be limited to a maximum of 50 square feet.
7. That the appellant must work with Urban Design staff to resolve any design related issues.
8. That the appellant must submit documentation, which adequately addresses the shortage of on-site parking.
9. That this Special Use and Variance are granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
74	22334 Special Use Granted 10 yrs.	The Agape Community Center of Milwaukee Inc., Property Owner By: Jenni Sevenich Request to construct and occupy the premises as a community center.	6100 N. 42nd St. (9th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Donald Jackson.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the W. Kaul Ave. driveway not exceed 24 feet in width and is to be constructed with a flared driveway according to City specifications -- rather than with the curb returns as indicated on the site plan submitted.
5. That the appellant continues to work with DCD staff on an acceptable parking lot alignment.
6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
75	22244 Special Use Granted 5 yrs.	Pierrea's Playmate Day Care, Property Owner By: Linda Wallace-Travis Request to occupy the premises as a day care for 20 children, ages 6 weeks to 12 yrs., from 6AM to 6PM.	4127 W. Nash St. (10th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Donald Jackson moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the owner reduce the height of the fence in the front and side yards to comply with the code.
5. That a conversion permit is obtained from the Department of City Development.
6. That the building must meet state building code for commercial buildings including building code setback restrictions.
7. That the appellant's adjoining property not be occupied as a day care facility.
8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.

76	22353 Variance Adjourned	Iglesia Maranatha, Prospective Buyer By: Obed Pena Request to occupy the premises as a church.	524 W. Madison St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Donald Jackson moved to adjourn the appeal. Seconded by Scott R. Winkler.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
77	22309 Special Use Granted 10 yrs.	Jeff Ellsworth, Prospective Buyer Request to occupy the premises as a Type "B" restaurant.	4939 S. Howell Ave. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Donald Jackson.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the proposed sign is moved 10 feet west to eliminate vision obstruction.
5. That the appellant must record an easement with the Milwaukee County Register of Deeds that delineates what portion of the south abutting parcel will be utilized by the Type "B" restaurant and its drive-through lane. A copy of the deed must be submitted to the Board within six (6) months of the date hereof.
6. That the landscape and screening plans should be upgraded to meet the intent of city code.
7. That the utility poles located adjacent to the south wall of the building are relocated so as to not conflict with the operation of the drive-through window.
8. That site illumination is to be controlled to prevent glare onto adjacent streets and residences.
9. That the pylon sign is limited to a maximum of 100 square feet.
10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
78	22206 Special Use Granted	Walter Kocaja/Bhupinder Singe Ghuman, Property Owner/Prospective Buyer d/b/a Wally's Shell Request to construct a 24' x 48' canopy (in addition to existing canopy) to accommodate new dispensers.	3725 S. Howell Ave. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Donald Jackson.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of time commencing with the date hereof and expiring December 17, 2007.

79	22349 Variance Adjourned	Donna R. Sabo, Property Owner Request to erect a 10 ft. x 12 ft. accessory structure in the front yard of the existing dwelling unit.	2504 W. Bolivar Ave. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to adjourn the appeal. Seconded by Scott R. Winkler.

Other Business:

Board member Henry P. Szymanski moved to approve the minutes of the July 29, 1999 meeting. Seconded by Board member Scott R. Winkler. Unanimously approved.

The Board set the next meeting for September 30, 1999.

Board member Henry P. Szymanski moved to adjourn the meeting at 4:48 p.m. Seconded by Board member Scott R. Winkler. Unanimously approved.

BOARD OF ZONING APPEALS

By _____
Secretary